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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,747	03/22/2002	Eric C. Edwards	50412-01 US/PCT	8800
25319	7590	07/11/2006	EXAMINER PIZIALI, JEFFREY J	
FREEDMAN & ASSOCIATES 117 CENTREPOINTE DRIVE SUITE 350 NEPEAN, ONTARIO, K2G 5X3 CANADA			ART UNIT 2629	PAPER NUMBER

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

10/088,747

Applicant(s)

EDWARDS, ERIC C.

Examiner

Jeff Piziali

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 13 April 2006 and 24 April 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
 - ☒ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☒ C. Other See Continuation Sheet.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☒ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☒ C. Other See Continuation Sheet.
- ☒ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☒ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Continuation of 1(c) Other:

First and foremost, the applicant is cordially thanked for the 'Response to Office Action mailed 01/13/2006' filed 13 April 2006 as well as the 'Supplemental Submission to Applicant's Response to Office Action mailed 01/13/2006' filed 24 April 2006. However, several seemingly non-compliant amendments have been discovered in both papers, requiring attention before examination may continue.

37 C.F.R. § 1.121(b)(1)(ii) requires, "The full text of any replacement paragraph with markings to show all the changes relative to the previous version of the paragraph. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strikethrough cannot be easily perceived."

The 'Response to Office Action mailed 01/13/2006' filed 13 April 2006 seeks to amend paragraph 0057 of the specification (see Page 3 of the 'Response to Office Action mailed 01/13/2006' filed 13 April 2006). However, the first line of this paragraph appears to change the direction of the paragraph bracket, without properly marking up the text to indicate the change.

Continuation of 3(c) Other:

37 C.F.R. § 1.121(d) requires, "Any changes to an application drawing must be in compliance with § 1.84 and must be submitted on a replacement sheet of drawings which shall be an attachment to the amendment document and, in the top margin, labeled 'Replacement Sheet'. Any replacement sheet of drawings shall include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is amended. Any new sheet of drawings containing an additional figure must be labeled in the top margin as 'New Sheet'. All changes to the drawings shall be explained, in detail, in either the drawing amendment or remarks section of the amendment paper."

The 'Response to Office Action mailed 01/13/2006' filed 13 April 2006 improperly seeks to remove the descriptive side notations from Figures 3a-3e and 4a-4d, without explaining in detail in either the drawing amendment or remarks section of the amendment paper that such drawing changes are being made.

Furthermore, the 'Supplemental Submission to Applicant's Response to Office Action mailed 01/13/2006' filed 24 April 2006 improperly seeks to move the illustrated top "edge of image" to be located inside the "dashed line" of Figure 3b, without explaining in detail in either the drawing amendment or remarks section of the amendment paper that such drawing changes are being made.

Additionally, the 'Supplemental Submission to Applicant's Response to Office Action mailed 01/13/2006' filed 24 April 2006 improperly appears to remove the "edge of image" from Figures 8 and 10 entirely, without explaining in detail in either the drawing amendment or remarks section of the amendment paper that such drawing changes are being made.

Continuation of 4(e) Other:

37 C.F.R. § 1.121(c)(2) requires, "The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. Only claims having the status of 'currently amended,' or 'withdrawn' if also being amended, shall include markings. If a withdrawn claim is currently amended, its status in the claim listing may be identified as 'withdrawn--currently amended.'"

The 'Response to Office Action mailed 01/13/2006' filed 13 April 2006 appears to be improperly amending claim 1, by moving the claim text "; and displaying portions of the image at the displayed locations, those portions remaining within the field of view" to follow the claim sentence's concluding period (see Page 5, and the last three lines of claim 1 of the 'Response to Office Action mailed 01/13/2006' filed 13 April 2006). The immediate prior version of claim 1, placed this period after the aforementioned text.

Additionally, claim 21 uses the improper and officially unrecognized status identifier, "currently amend" (see Page 8 of the 'Response to Office Action mailed 01/13/2006' filed 13 April 2006).

By such reasoning, this Notice of Non-Compliance is deemed necessary and proper at this time.

Please note: The amendments have not been checked to the extent necessary to determine the presence of all possible non-compliance errors. If additional issues of non-compliance are discovered at the time of a subsequent amendment, yet another Notice of Non-Compliant Amendment will be necessitated. Applicant's cooperation is requested in correcting any other errors of which applicants may become aware.

The applicant is hereby notified that the examiner's art unit has recently changed from Art Unit 2673 to Art Unit 2629, please direct all future correspondence accordingly. Thank you.



30 June 2006